

ORIGINAL

In the United States Court of Federal Claims

FILED

STEVEN R. LISTWA,)
Plaintiff,)
v.)
THE UNITED STATES OF AMERICA,)
Defendant.)

)
)

AUG 21 2015

**U.S. COURT OF
FEDERAL CLAIMS**

No. 15-797C
(Filed: August 21, 2015)

ORDER

The Court is in receipt of plaintiff's request for the Court to dismiss the plaintiff's action without prejudice filed on August 17, 2015. Request for Case Dismissal 1, ECF No. 6. Plaintiff states that the matter should never have been filed in this Court and that the case is currently "under consideration by a Decision Review Officer and the Department of Veterans Affairs Debt Management Center." Id.

Because the defendant has not yet served an answer to plaintiff's complaint, a motion for summary judgment, or a motion for judgment on the administrative record, the Court treats plaintiff's Request for Case Dismissal as a Notice of Dismissal pursuant to Rule 41(a)(1)(A)(i) of the Rules of the Court of Federal Claims.

The Clerk of the Court is directed to **DISMISS** this case without prejudice. All pending motions are **DENIED** as moot.

IT IS SO ORDERED.


ELAINE D. KAPLAN
Judge